

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PETROLEUM TANK RELEASE COMPENSATION BOARD
DEPARTMENT OF COMMERCE

In the Matter of the Petrofund
Contractor's License of DC Enterprises of
Northern Minnesota, Inc. and J & D
Enterprises, Inc.

PREHEARING ORDER

A prehearing conference was held by telephone on March 4, 2003. Michael J. Tostengard, Assistant Attorney General, 445 Minnesota Street, Suite 1200, St. Paul, MN 55101-2130, appeared on behalf of the Petroleum Tank Release Compensation Board. Larry Stauber, Jr., Attorney at Law, Stauber & Lien, 1011 East Central Entrance, Duluth, MN 55811-5501, appeared on behalf of DC Enterprises of Northern Minnesota, Inc.

IT IS HEREBY ORDERED:

1. By **April 15, 2003**, the parties shall identify persons expected to be called as expert witnesses. For each such witness, the parties shall file a statement describing the subject matter of expected expert testimony, the substance of the facts and opinions to which the expert is expected to testify, and provide a summary of the grounds for each opinion, any report prepared by the expert for this matter, and a curriculum vitae for the expert.
2. This matter is scheduled for hearing on **May 13, 2003**, commencing at **9:30 a.m.** at the Office of Administrative Hearings, 320 West 2nd Street, Suite 714, Duluth, MN 55802.
3. The parties shall exchange proposed written exhibits and witness lists and file an index of exhibits and a copy of the witness list with the Minneapolis Office of Administrative Hearings by **May 6, 2003**. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit must notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.
4. In the event that either side requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than **May 6, 2003**.

5. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at www.oah.state.mn.us.

6. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.

7. This case may be appropriate for mediation. The parties are encouraged to promptly consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated this 5th day of March 2003.

S/ Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge